

USEPA/OECA/OC
State and Tribal Assistance Grant (STAG) 2000-2001
South Carolina: Measurement of Effectiveness of On-site Inspection with Non-Regulatory Follow-up by
Industry Sectors
Quarter 4, 2002 report
Uploaded to Internet 1/31/03

**Quarterly Reporting Form for EPA's 2000 and 2001
Enforcement and Compliance Assurance Grants**

Reporting Period: Year: 2002
☐ Oct-Dec (due last working day Jan)
☐ Jan-Mar (due last working day Apr)
☐ Apr-Jun (due last working day Jul)
☒ Jul-Sep (due last working day Oct)

I. Information

State and Department: South Carolina, Industrial Ecology Program, University of South Carolina School of the Environment

Title of Project: Compliance Assistance-Measurement of Effectiveness of On-site Inspections with Non-Regulatory Follow-up by Industrial Sectors

Grant Contact Person:

LeAnn Herren, Director
Industrial Ecology Program
School of the Environment, University of South Carolina
Columbia, South Carolina 29208
Phone: 803/777-9061
Fax: 803/777-5715

Funds Received by State (Date and amount): 09/18/01 amount \$74,729

EPA Regional Project Officer: Gloria Love

Author of report: LeAnn Herren

II. Status of Project Milestones

Each milestone for the entire project should be entered into this table at the beginning of the grant period and should appear in every quarterly report (unless it is dropped from the project). With each quarterly report fill in dates or add milestones as appropriate. If dates or milestones are adjusted in subsequent reports, please indicate this in the comment field or in text below the table.

(Expand table as appropriate.)

Project Milestones	Anticipated Completion Date	Completion Date
GIS Mapping of past compliance inspections	December 2001	December 2001

Update of GIS Mapping with re-inspection	November 2002	
Website Development	October 2002	
Website Upload and Announcement	October 2002	
Compliance Assistance Re-Inspections	December 2002	
Community Outreach Meetings	January 2003	
Community Information Access	October 2002	
Technical Assistance to Additional Sectors	December 2002	

III. Status of Project Completion.

Anticipated project completion date: March 2003

If this anticipated date is later than the date reported on the last report, please explain.

January 2002

This completion date is later than originally proposed due to delays with our state agency partner, the South Carolina Department of Health and Environmental Control (SCDHEC) and the community partner, the Community Action Group (CAG). The CAG has been the designated community leader in the Charleston Community Based Environmental Project. Over the last six to eight months, the CAG has taken on a new director, fired the new director, attempted to re-organize and voted on becoming a sub-group of the local empowerment zone. At this time, the CAG is on hiatus and the decision has been made by the principal investigator of this grant to approach the communities directly through previous contacts established in the former CAG.

April 2002

The CAG did not meet in the first quarter of 2002. Meetings have been proposed for the second quarter (specifically in May 2002). Should the CAG again delay, alternative meetings have been proposed directly with community leaders during late second quarter and early third. The CAG continues to experience leadership problems.

July 2002

The CAG has once again postponed meeting. At this point, the decision has been made to work directly with the community leaders. An updated contact list is to be prepared beginning in late summer and direct contact with the community regarding project education in early fall. During the initial contact, a schedule of community meeting dates will be requested in order to set up a training session. While the principal investigator of the grant understands the importance of the overarching community group (CAG) and will therefore continue to attempt to work with the group, at this time it does not appear that the grant could be successful if this was the primary access to the neighborhoods. This decision should in no way been seen as a direct reflection on the importance of the CAG in the Charleston Community Base Environmental Project.

October 2002

The CAG as a separate entity no longer exists in the Charleston Community Based Environmental Project. Lack of support from the neighborhoods for the continuation of the community has been blamed for the downfall of the group. Alternative groups have been formed through the local economic development group that will hopefully take on the role of environmental advocates for the communities as a whole. However, neighborhoods are now focusing more attention on their individual environmental concerns and are strengthening their efforts to work through the community groups. It is these neighborhood associations that have become the focus of the environmental outreach efforts of the project partners. It is through these groups that education on the availability of compliance assistance will be made known to the community. Current officer lists for the neighborhood associations have been prepared by Trident staff members assigned to the Community Based Environmental Project. As materials are completed for the website, informational mailings will be forwarded to the officers. Additionally, these officers will be encouraged to request the presence of project staff to provide training and/or an overview of the website and various other compliance assistance information. As funding for this effort winds down, the daily presence of project staff in the neighborhood will dwindle. It will fall to the neighborhoods to encourage businesses to continue their environmental efforts and to monitor the environmental status of the community. SCDHEC will rely on the community to contact them with suspected small business violations.

January 2002

While the initial mapping has been completed and the website is in draft form at this time, a delay occurred within the state agency in securing staff to lead the compliance assistance re-inspections. State law requires, that only personnel employed at SCDHEC can complete environmental regulatory inspections. A SCDHEC inspector began the initial round of re-inspections, along with adding compliance assistance for new sectors, in February 2002. The Industrial Ecology Program will provide technical assistance in meeting compliance standards and exceeding standards through pollution prevention throughout the inspections process. Recent meetings with SCDHEC indicate the inspection and re-inspection process will continue through the summer. This will delay both the update of the GIS mapping and the end of the referral process to sometime in the fall.

April 2002

SCDHEC made the decision to begin inspections of a new sector at the same time as beginning the re-inspections process. The first new sector chosen was auto salvage and junkyard. These shops have been a major regulatory problem and eye soar to the neighborhoods in question. Between late February and the end of March, four facilities were inspected. Three facilities were found to be in compliance with state environmental laws, but were advised as to the advantages of a pollution prevention/waste minimization assessment. Follow-up contact by the Industrial Ecology Program with the in-compliance companies will take place in the second quarter of 2002. The fourth facility was found to be out of compliance and as was referred to the Industrial Ecology Program for compliance assistance. Ten violations were found ranging from pressure washing of engines into storm drains to oil spills to missing spill prevention plans. Five additional best management practices were recommended to improve the basic "housekeeping" of the site. The 45-day clock for correcting violations using compliance assistance was started

March 25. Contact was made with the Industrial Ecology Program for a site visit to assist, with the visit taking place early in the second quarter (information to follow in next quarter reporting). Copies of the site inspection sheets will be included in the final report.

The re-inspections of sites from the first round of joint SCDHEC and Industrial Ecology compliance assistance began during the month of March. During the 30 days, six sites were fully inspected by the regulatory program of SCDHEC. All six facilities were found to have taken advantage of the assistance provided in the last round of inspections and maintained their in-compliance status. Although it is only preliminary, early signs indicate that when small businesses are provided information in conjunction with compliance assistance, they will take advantage of the opportunity provided to make environmental improvements. The hypothesis goes on to state that small businesses given assistance as opposed to enforcement will make a commitment to uphold the new business practices implemented during the compliance assistance phase. This again, although in the early stages, appears to be holding true.

July 2002

Inspections have now begun in the new sector of auto salvage yards, an offshoot of the auto repairs and maintenance facilities from the first phase. While the original plan of SCDHEC and the Industrial Ecology Program was to select an additional service sector such as dry cleaning or printing, this sector was chosen at the request of the neighborhoods within the environmental justice area. The residents saw auto salvage yards as being a nuisance and a potential site for environmental violations. SCDHEC and Industrial Ecology met and agreed that the compliance assistance program was designed to be a partnership with the neighborhoods within the environmental justice area in North Charleston and therefore the residents should have the final say in the direction of the project. With that philosophy in mind, ten salvage yards located in the area have been inspected with six of the sites found to have a total of forty-four violations. The violations ranged from not having storm water permits or spill prevention plans, to improper storage of parts and incorrect disposal of automotive fluids. The facilities were referred to the Industrial Ecology Program for assistance as needed. The majority of the violations have been corrected, with only final approval of permits and plans remaining.

In addition, at the request of the neighborhood, two City of North Charleston automotive storage and maintenance facilities were inspected following the guidelines established for small businesses within the region. Both facilities were found to be out of compliance with a total of fourteen violations between them. The violations were similar to that of the auto salvage yard with missing permits and plans, improper storage and incorrect disposal. The City was provided assistance by the Industrial Ecology Program and is currently working towards compliance.

SCDHEC and Industrial Ecology will continue to expand the sectors for the compliance inspection and assistance process at the neighborhood request, as long as funding exists to complete such efforts. While this will extend the “completion date” of the technical assistance to additional sectors for the Industrial Ecology Program, it will provide value to the community and is seen as a worthwhile investment of time and experience.

The re-inspection efforts for the auto body repair and maintenance shops continued during the second quarter. As will be covered further in the results section, over half of the facilities have

now been reviewed with the majority (approximately 90%) remaining in compliance following the compliance assistance efforts in previous phase of the project.

October 2002

At the first of July, the SCDHEC compliance assistance inspector took a new position with the agency. He began the director of the local Shellfish Program. With this change in staff, no inspections took place in July or August. Prior to leaving the position, follow-up inspections were completed for any out-of-compliance small businesses found during the second quarter of the project. The majority of facilities (over 90%) had finished the required changes and were operating in compliance. One notable exception with the City of North Charleston which is still working to meet the requirements presented under the last inspection.

In mid-August, a new inspector was assigned to the program to take over the re-inspections and the new sector inspections. After a training period with the compliance assistance project supervisor, the inspections restarted in September. During the month of September, twenty-four sites were reviewed. Of the sites inspected, fourteen were found to be out of compliance with state regulations. Several companies contacted the Industrial Ecology program for assistance on what turned out to be minor infractions such as litter, general housekeeping and unclear or smeared labels on used oil drums. Four of the facilities inspected are suspected of dumping used oil, fuel and fluids from automobiles into the city storm water sewers. Follow-up with the businesses and the city water treatment plant is ongoing. The final inspections should take place within the next thirty days. This will allow re-inspection of any out of compliance facilities, including the forty-five day period for self-improvement, prior to the completion of the project in March 2003.

January 2002

In addition, the community portion of the project is also experiencing delays. The community outreach meetings and the community information access were to focus on learning about the compliance assistance project in North Charleston and learning to use the internet as a tool to help improve environmental conditions in the environmental justice zone. The community centers were to be provided a computer with internet access through a grant from EPA Region IV to SCDHEC. The community residents were to be taught by the Industrial Ecology Program how to access the website developed under this grant and use this site to contact SCDHEC and other state environmental assistance programs. Links on this site would also provide residents with a means of learning environmental risks and health protection options. Delays were experienced by SCDHEC in implementing computer purchase grant. A recent meeting indicated that bids were about to be released and computers should be in the community centers and operational by summer. The community outreach meeting would begin immediately following the computer set-up by SCDHEC.

April 2002

During the first quarter, bids were prepared but not released. The new estimated time for computer purchase is late in the second quarter of 2002. As mentioned, this will delay the community-training portion of the grant until at third quarter of 2002. Within the Industrial Ecology Program, the position for website development was re-posted in February, with the position offered in late March. An experienced computer network manager recently retired from

the university and returning as a part-time assistant, should complete site development during the second quarter of 2002. A site link will be provided with the appropriate quarterly report.

July 2002

The website for the environmental measurement project continues to be in development. The new timeline allows for upload of the page, following server upgrades, late in the third quarter of the project. Along with the expected maps and results, a decision has been made to include a downloadable version of the inspection guidelines being used by SCDHEC to review the small businesses in the environmental justice zone. This will allow businesses on the “fringe” of the area to self inspect in preparation for the possible expansion of the compliance assistance efforts in future budget cycles. While delays are ongoing for the purchase of computers by the state, a review of the community centers has found that the majority purchased at least one computer on their own. This purchase will allow the education portion of the project to continue regardless of future delays in the matching state grant for computer upgrades.

October 2002

A retired university network manager has been hired to complete the website for the small business compliance assistance project. The staff member is currently reviewing the materials selected for the website to determine which materials can be loaded on the page and which should be available only in PDF form for downloading. The goal of this review is to assure that the website will load quickly on any public computer, many of which do not have large hard drives for graphics heavy websites. Maps from the original project are being reviewed for accuracy in business locations. In addition, the new segments provided compliance assistance in this grant period are to be added to the original maps. At this time, discussion is ongoing regarding how sites should be distinguished based on which project the assistance falls under. The funds from EPA for SCDHEC to purchase computers for the community centers have still not become available. At this point, it is the opinion of all parties involved that the funds will not reach the area in time to be applicable to this grant project. While this has been viewed by some in the neighborhood as a lack of support of the community centers, it has not seemed to significantly impact the relationship between members of this project with the community. The efforts to provide the community with education on the availability of environmental assistance through the website will continue. Contact has been made with the local school districts and other educational venues on interest in training on the use of the website. At this point, no trainings have been scheduled in the schools. Information on the website and use of the website will be placed in a memo and provided to the school upon the upload of the website. Efforts will continue to be made during the forth quarter to schedule trainings and/or informational presentations at the local community centers on the availability of environmental assistance and the opportunity for the community to become involved in the protection of their local environment.

January 2002

It should be noted that these delays indicate a no-cost extension will have to be filed by the Industrial Ecology Program. Effective in January of 2002, spending from the Measurement Grant by the Industrial Ecology Program was put on hold to reserve funds for later operations. Little, if any, funds are expected to be spent during the period of January – May 2002. Projected spending during this period will include final website development and upload expenses,

potential travel to organizational meetings with community and SCDHEC, and purchase of supplies for community outreach meetings but minimal staff time, as this will be reserved for the on-site assistance and community outreach trainings from June – December 2002.

April 2002

As predicted, no funds were spent from the Measurement Grant during the first quarter of 2002. Compliance assistance, information development and planning taking place during this period were not charged to the grant in an effort to reserve funds for the upcoming onsite work. The request for a no cost extension has been approved internally and will be submitted to the Environmental Protection Agency during the second quarter of 2002. While this delay is disappointing, the initial signs of success with the small businesses prove the project will be worth the effort. Spending during the second quarter will also be kept to a minimum to reserve funds for the onsite assessments and trainings.

July 2002

During the second quarter of 2002, no personnel expenses were charged to the Measurement Grant. Assistance was provided to small businesses through telephone and internet contact as opposed to site visits. This limited spending will allow the project to have more direct assistance to the communities during the educational phase. It does not appear that this offsite work has been detrimental to the businesses, as most requests have involved permitting questions and waste disposal contractors. This does however indicate that for future efforts with the community, a toll-free assistance line would be beneficial. A no cost extension for the Measurement Grant was requested in early June and initial reports indicate it has been granted.

October 2002

During the third quarter of 2002, work hours were again charged to the Measurement grant. The no cost extension of the grant was filed with the grants and contracts office of the university July 30, 2002. The new end date for the grant is March 1, 2003. At this time, no additional funds have been discovered that would allow the project to continue for the small business community. Several proposals and pre-proposals have been filed with EPA and other agencies, but none have been selected for funding. Due to the upcoming budget cuts, it is unlikely the state will be able to fully support a new position in compliance assistance in the Trident District or to expand the program into other Districts. The Industrial Ecology program will continue to provide technical assistance to the small businesses in the environmental justice area as long as feasibly possible following the end date of the grant.

IV. Results:

January 2002

GIS Mapping has been completed for the previous compliance assistance inspections. Mapping data has been placed on a zip drive and provided to the website development team. Information for the website has been drafted in word and also provided to the website team.

April 2002

As covered above, re-inspections have begun at the approximately 80 small businesses provided compliance assistance during the first phase of the Industrial Ecology Program funded under the

Environmental Justice Through Pollution Prevention Grant. Six facilities have been inspected and all were found to have remained in compliance with state environmental regulations for the one year period during inspections. While 100% compliance is not likely to occur, the signs proving that compliance assistance can be successful are already emerging.

GIS mapping data and business inspection spreadsheets have been compiled for the new website development specialist. Meetings are scheduled during the second quarter to begin drafting the overall site. Copies of the drafts should be available during the second quarter or early in the third quarter for review by the Regional EPA projects manager and the SCDHEC staff involved in the onsite inspection process. Additional state environmental programs have been approached and agreed to participate on the website as links for communities and “experts” for questions. A protocol for referrals is being discussed at this time.

July 2002

Over half of the facilities inspected during the first phase of the project have now been re-inspected by SCDHEC. Approximately 90% of the facilities have remained in compliance with state environmental regulations for one year after being provided an opportunity for regulatory assistance with a funded technical assistance referral program. Firms out of compliance primarily had problems with the storage of used motor oil being mislabeled, unsecured and/or uncovered. While these problems are still violations, the severity is much lower than the previous inspection where facilities were improperly disposing and flagrantly releasing wastes such as using storm drains for automotive fluids disposal. A follow-up is planned to determine if there are any significant reasons that the violations occurred such as new ownership (i.e. small business has not been educated as were previous owners) or if it was simply caused by lax business practices.

October 2002

Approximately 80% of the facilities inspected during the first phase of the project have now been re-inspected by SCDHEC. Unfortunately, it initially appeared that less than half of the additional 30% of the facilities re-inspected had remained in compliance. This would drop the success rate of the project to less than 85% and early indications from the forth quarter indicated a continuing trend of non-compliance. A careful review of the inspection sheets turned up the factors that caused this dramatic change. When the new inspector assumed responsibility for the compliance assistance reviews of the small businesses, violations of litter policy and general housekeeping were added to the letters indicating non-compliance. This statement should in no way indicate that the previous inspector ignored violations of the litter statutes. The previous inspector gave a verbal warning to the facilities that the “aesthetics” and would then refer the business to the SCDHEC litter officer for follow up. The owners/operators of the facility would be instructed that they would have to bring the shop area and surrounding grounds up to the state, county and city codes or they would be fined by the litter officer. The previous inspector kept the letter of non-compliance limited to direct environmental, health and safety violations. He felt follow up by the litter officer was more appropriate as the environmental office did not have enforcement options regarding litter until the site became a health hazard. A review of the 24 facilities inspected in September, of which 14 were found out of compliance, indicated that 10 of the 14 out-of-compliance letter regarded minor housekeeping issues. The remaining 4 facilities have issues with improper disposal of vehicle fluids that will need to be dealt with

immediately. In each case, the new inspector felt signs indicated fluids were being disposed of down the city storm water sewer system. These violations will be followed up on by the inspector and by the City of North Charleston. Note, in addition to the storm water violation, one of the four small businesses could not produce the requested spill prevention control and countermeasures plan. This business has since been in contact with the Industrial Ecology program and the plan has been found. Additional assistance has been provided by the Industrial Ecology program to the 10 facilities found out-of-compliance, many of who were concerned to find their facilities in violation when they were felt to be operating correctly. Discussions will be going on during the forth quarter with SCDHEC personnel to determine if the differences in recording techniques should be factored out of the compliance rates.